

October 26, 2017

**VIA ECF**

Honorable Katharine H. Parker  
United States Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 1950  
New York, NY 10007

**MEMO ENDORSED**

Re: *Patriarch Partners Agency Servs., LLC v. Zohar CDO 2003-1, Ltd. et al.*, No. 16 Civ. 4488 (VM)(KHP)

Dear Judge Parker:

We write respectfully on behalf of all parties in the above-referenced action regarding the case management conference scheduled for Monday, October 30, 2017 at 4 p.m. (Dkt. 130). PPAS requests an adjournment of the conference in light of the fact that Plaintiff's counsel Lawrence J. Zweifach has received a jury summons for October 30, 2017. Defendants do not oppose the request. Counsel for the non-party Portfolio Companies has been notified of the proposed adjournment and has no objection.

There are, however, certain outstanding issues between the parties that require resolution. The parties have pending discovery disputes and Defendants have served a motion for leave to amend their Second Amended Omnibus Answer to Complaint and Amended Counterclaims Against PPAS (a copy of which will be filed pending the parties' agreement on redaction of confidential information). As will be set forth more fully in a separate, confidential letter to the Court, PPAS's position is that these issues should be heard together, once briefing on Defendants' motion to amend has been completed on November 9, 2017. Defendants' position is that a conference regarding outstanding discovery matters can be held independently of the Court's hearing the motion to amend, and should be held as soon as the Court is available. The parties have discussed their respective schedules and are both available to appear before Your Honor on any of the following dates (subject to the conclusion of Plaintiff's counsel's jury duty):

- November 1, 2017 (morning)
- November 2, 2017 (morning)
- November 16, 2017 (morning)
- November 21, 2017 (all day)
- November 22, 2017 (all day)

Respectfully submitted,

GIBSON DUNN & CRUTCHER LLP

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By: /s/ Jonathan E. Pickhardt

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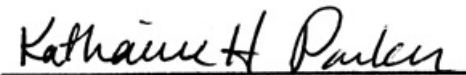
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LLC*

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CDO 2003-1, LLC, Zohar II 2005-1, Ltd.,  
Zohar II 2005-1, LLC, Zohar III, Ltd., Zohar  
III, LLC and Alvarez & Marsal Zohar  
Management, LLC*

APPLICATION GRANTED. The conference scheduled for October 30, 2017 is adjourned.  
The Court will hold oral argument on Defendants' motion to amend on **Thursday,  
November 16, 2017 at 9:30 a.m.** in Courtroom 17D, 500 Pearl Street, New York, New York.  
The Court will address discovery issues at a separate conference.

Date: October 27, 2017

**APPLICATION GRANTED**

  
**Hon. Katharine H. Parker, U.S.M.J.**